



Ohio Administrative Code

Rule 5120:1-3-02 Licensing requirements for a halfway house or community residential center as a licensed facility.

Effective: July 1, 2024

(A) The division of parole and community services is charged with the inspection, supervision and licensing of halfway houses or other licensed facilities.

(B) The division of parole and community services conducts annual on-site inspections of halfway houses or other licensed facilities under contract with the division for the purpose of conducting an audit or site inspection of the facility. Such audits or site inspection are scheduled in advance with written notice to the person in charge of the halfway house or other licensed facility .

(C) During the inspection, auditors employed by the division of parole and community services shall have full access to all areas of a halfway house or other licensed facility and to all records, including electronically stored record or data, relating to the operation of the facility, including offender files.

(D) The auditors employed by the division of parole and community services ascertain compliance with performance based and/or program specific standards .

(1) Within forty-five calendar days after an audit or a site inspection, the division of parole and community services will prepare a written report of the results that describes and include a summary of any findings of noncompliance. The report will be sent to the person in charge of the halfway house or other licensed facility .

(2) In addition to the appeal rights granted under section 119.12 of the Revised Code, the division of parole and community services will allow licensed halfway house and community residential center managers to administratively appeal adverse decisions regarding licensure of the halfway house or other licensed facility . The appeal procedure is as follows:

(a) The licensed facility will be provided with a written report detailing the particulars of such failures or deficiencies



(b) The licensed facility has the right to an administrative appeal during the forty-five calendar day period following receipt of the written report, at which time evidence can be submitted to rebut, clarify, or correct particulars detailed in the written report.

(c) The division of parole and community services requires the licensed facility to correct these deficiencies within forty-five calendar days from notification or to submit an acceptable plan and timetable to remedy these areas.

(3) An appeal of an adverse decision pursuant to paragraph (D)(2) of this rule does not affect the authority of the division of parole and community services to terminate a contract with a facility at any time pursuant to the terms of the contract.

(4) The scope of the administrative appeal authorized under paragraph (D)(2) of this rule is limited to reviewing an adverse decision on licensure. and does not include challenging a decision by the division of parole and community services to terminate a contract with a licensed facility pursuant to the contract's terms or any other purpose .

(E) For halfway houses and other facilities to be licensed, they must comply with the performance-based and program specific standards as required by the Administrative Code or have plans to remedy deficiencies as approved by the division of parole and community services.

(F) The public or private entity operating a licensed facility will be a legal entity or a part of a legal entity according to the provisions of Chapter 1702. of the Revised Code. The agency will maintain a copy of the following items:

- (1) Articles of incorporation or constitution;
- (2) By-laws;
- (3) Federal tax identification number;
- (4) Federal tax exemption number;



(5) A current list of the board of directors, their occupations, and their addresses.